

(10) Setting 12-month permanency hearing ([Welf & I C §§366\(a\), 366.21\(a\)](#); [Cal Rules of Ct 1461\(a\), \(c\)](#))

A 12-month permanency hearing is set for *[insert date within six months]*.

[To parents or guardians]

You have the right to be present and represented by counsel at that hearing.

D. [§103.66] Script: Findings and Orders—12-Month Permanency Hearing

(1) Return of child

The court orders that custody of *[name of child]* shall be returned to *[name of parent/guardian/other former custodian]*.

[Or]

The court finds by a preponderance of the evidence that returning the child home would create a substantial risk of harm to the child's *[physical health/emotional well-being]* because *[state reasons]*. Therefore, *[name of child]* may not be returned home at this time.

(2) Reasonable reunification services ([Cal Rules of Ct 1461\(c\)\(4\)](#))

Reasonable reunification services have *[not]* been *[provided/offered]* to the *[parents/guardians]*.

(3) Finding re placement ([Welf & I C §366.21\(f\)](#); [Cal Rules of Ct 1461\(d\)](#); [42 USC §675\(5\)\(B\)](#))

The court finds that the placement *[continues to be/is no longer]* necessary because *[state reasons]* and *[is appropriate/is no longer appropriate]* to this child because *[state reasons]*.

[Name of custodian] shall therefore have custody of the child effective *[date]*.

The court further finds that:

DSS and *[parents/guardians/other]* have participated regularly and made substantive progress in court-ordered treatment programs.

[Or]

DSS has provided services and opportunities but *[name of parent/guardian/other]* has not participated regularly and made substantive progress in court-ordered treatment programs in that *[describe]*.

[Or]

The services provided have been inadequate in that *[describe]*.

(4) Finding re foster care

The court also finds that the following progress has been made toward alleviating or eliminating the need for foster care: *[describe]*.

(5) Further Hearings

The court finds that to return *[name of child]* to the custody of *[his/her]* *[parents/guardians]* would be detrimental because *[state reasons]*. The court also finds that *[there is a substantial probability that [name of child] will be returned to the physical custody of [name of parent/guardian]/reasonable services have not been provided to [name of parent/guardian]]*.

Therefore, a permanency review hearing is set for *[date within six months, but not later than 18 months from the date the child was taken from the physical custody of the parent or guardian (see [Welf & I C §366.21\(g\)\(1\)](#); [Cal Rules of Ct 1462\(a\)](#))]*.

[To parent or guardian]

You have the right to be present and represented by counsel at that hearing.

If *[name of child]* cannot be returned home by the next review hearing, a proceeding for termination of parental rights under [Welfare and Institutions Code section 366.26](#) may be instituted.

Note: This procedure is authorized by [Welf & I C §366.21\(g\)\(1\)](#).

[Or]

The court finds by clear and convincing evidence that *[name of child]* is not a proper subject for adoption and there is no one willing to accept legal guardianship. Therefore, *[name of child]* shall remain in long-term foster care and a hearing is set for *[date not later than six months]*.

The court finds by clear and convincing evidence that reunification services have been offered or provided to *[name of parent or guardian]*.

(6) Scheduling .26 hearing

A hearing under [Welfare and Institutions Code section 366.26](#) will be scheduled for *[date within 120 days (see [Welf & I C §366.21\(e\)](#); [Cal Rules of Ct 1461\(d\)\(3\)](#))]*.

This order may be challenged by the filing of an extraordinary writ in the appellate court.

(7) Discontinuing reunification services ([Welf & I C §366.21\(h\)–\(i\)](#))

Reunification services shall be discontinued. DSS shall prepare an assessment that includes the current search efforts for the absent parent, a review of the nature and amount of contacts between *[name of child]* and the *[parent/guardian]*, prospects for adoption, and an evaluation of *[name of child]*.

(8) Visitation

Visitation with *[parent/guardian]* shall continue.

[Discontinuance or prohibition of visitation (see [Welf & I C §366.21\(h\)](#))]

The court finds that visitation would be detrimental to *[name of child]* and therefore must *[be discontinued/not take place]*.

E. [§103.67] Script: Findings and Orders—18-Month Permanency Review

(1) Return of child

The court orders that custody of *[name of child]* shall be returned to *[name of parent/guardian/other former custodian]*.

[Or]

The court finds by a preponderance of the evidence that returning the child home would create a substantial risk of harm to the child's *[physical health/emotional well-being]* because *[state reasons]*. Therefore, *[name of child]* may not be returned home at this time.

Reasonable reunification services have *[not]* been *[provided/offered]* to the *[parent/guardian]*.

[Continue]

The court finds by clear and convincing evidence that *[name of child]* is not a proper subject for adoption and there is no one willing to accept legal guardianship. Therefore, *[name of child]* shall remain in long-term foster care and a hearing is set for *[date not later than six months]*.